S.B. CIVIL WRIT PETITION NO.2952/2007.

Ravi Kumawat
Vs.
University of Rajasthan and ors.

Date of order : 20/4/2007.

**HON'BLE MR.JUSTICE MOHAMMAD RAFIQ**

Shri Bharat Saini for the petitioner.

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I have heard learned counsel for the petitioner and perused the materials placed on record.

Learned counsel for the petitioner submits that petitioner was allowed admission in Bachelor Degree of Visual Art Part-I by the Principal, Rajasthan School of Arts, Kishanpole Bazar, Jaipur. He deposited the fee on 30/6/2006 and subsequently he also deposited the examination fee along with the examination form on 12/9/2006. The examination of the aforesaid degree course commenced on 20/4/2007. The respondents however vide order dated 22/3/2007 informed the Principal of the

Rajasthan School of Arts, Jaipur that since the petitioner does not have minimum 48% marks at the qualifying examination as per rules, he could not be admitted to appear in the examination of Bachelor Degree of Visual Art Part-I and accordingly his examination form be treated as cancelled.

Learned counsel for the petitioner argued that he did not conceal any information from the respondents and respondent No.3, Principal of the Rajasthan School of Arts allowed admission to the petitioner therefore, he cannot be blamed if he has been allowed admission inspite of his not possessing minimum qualifying marks.

The degree course of Bachelor of Visual Art is of the duration of 2 years and candidature of petitioner was rejected keeping in view of the fact that he did not have minimum 48% marks in the qualifying examination. This mistake has been discovered at the first instance.

Therefore, I am not inclined to direct the respondents to perpetuate the illegality by permitting the petitioner to appear in the examination.

The writ petition being devoid of merit and substance is dismissed.

**(MOHAMMAD RAFIQ), J.**

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